

BEFORE THE BOARD OF ENVIRONMENTAL REVIEW
OF THE STATE OF MONTANA

In the matter of the)	NOTICE OF AMENDMENT
amendment of ARM 17.38.101,)	
17.38.201A, 17.38.203,)	
17.38.205, 17.38.208,)	(PUBLIC WATER SUPPLY)
17.38.215, 17.38.216,)	
17.38.225, and 17.38.234)	
pertaining to public water)	
and sewage system)	
requirements		

TO: All Concerned Persons

1. On October 21, 2004, the Board of Environmental Review published MAR Notice No. 17-216 regarding a notice of public hearing on the proposed amendment of the above-stated rules at page 2444, 2004 Montana Administrative Register, issue number 20.

2. The Board has amended the rules exactly as proposed.

3. The following comments were received and appear with the Board's responses:

COMMENT NO. 1: One commentor stated that he did not believe his campground should be regulated the same as a town of 9,000 people.

RESPONSE: Campgrounds are generally, and in this case, considered transient, non-community systems. A transient, non-community system is not required to sample the same as a community system. Transient, non-community systems are only required to sample for "acute" contaminants, i.e. total coliform bacteria and nitrate/nitrite. Community systems are generally required to sample for all contaminants regulated under the Safe Drinking Water Act and Montana Public Water Supply laws and rules.

COMMENT NO. 2: One commentor stated he did not think he should have to sample twice everyday for chlorine residuals.

RESPONSE: The requirements for conducting chlorine residual tests is set forth in ARM 17.38.225(2). Because the proposed rulemaking does not affect provisions of ARM 17.38.225(2), this comment is outside the scope of this rulemaking.

4. These rules will become effective January 1, 2005.

Reviewed by:

BOARD OF ENVIRONMENTAL REVIEW

JAMES M. MADDEN
Rule Reviewer

By:

JOSEPH W. RUSSELL, M.P.H.
Chairman

Certified to the Secretary of State, December 6, 2004.